

SENATE CHAMBER.
AUSTIN, TEXAS, Saturday, February 25, 1871. }

Senate met pursuant to adjournment; Hon. Don Campbell, President, in the chair.

Roll called; quorum present.

Absent—Senator Saylor.

Prayer by the Chaplain.

On motion of Senator Ruby, the reading of the journal of yesterday was dispensed with.

Report of Committee on Engrossed Bills :

COMMITTEE ROOM,
AUSTIN, February 24, 1871.

Hon. DON CAMPBELL,

President of the Senate :

SIR : Your Committee on Engrossed Bills having examined and compared Senate bill No. 186, "An act to provide for the more permanent preservation of the graves in the State cemetery at Austin, Texas," find the same correctly engrossed.

G. T. RUBY, Chairman.

E. L. DOHONEY,

P. W. HALL.

Report read and received.

Under direction of the President, the Secretary carried to the House for concurrence, Senate bill No. 186, "An act to provide for the more permanent preservation of the graves in the State cemetery at Austin, Texas."

PETITIONS AND MEMORIALS.

By Senator Tendick: Petition for the relief of Francis Montgomery, widow of James S. Montgomery. Read and referred to Committee on Private Land Claims.

REPORTS OF STANDING COMMITTEES.

Reports of Committee on Internal Improvements :

COMMITTEE ROOM,
AUSTIN, February 25, 1871.

Hon. DON CAMPBELL,

President of the Senate :

SIR : Your Committee on Internal Improvements, to whom was

referred Senate bill No. 125, entitled "An act to promote the steam navigation of the Colorado river, in Travis county," respectfully report back the same, recommending its passage.

WEBSTER FLANAGAN,
Chairman.

Report read and laid over under the rules.

COMMITTEE ROOM,
AUSTIN, February 25, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Internal Improvements, to whom was referred Senate bill No. 123, entitled "An act in relation to the Atlantic and Pacific Railroad," respectfully report that they have had the same under consideration, and, with the following amendment, recommend its passage:

Amend, in section one, line twenty-two, after the word thence, "To a crossing on the Neches river, that shall not be below the mouth of Bowles' creek, in Cherokee county, and thence by direct line on the west side of the Neches river."

WEBSTER FLANAGAN,
Chairman.

Report read and laid over under the rules.

Senator Fountain, Chairman of the Committee on Judiciary, reported back Senate bill No. 165, and asked that it be referred to the Committee on State Affairs.

Senate bill No. 165, a bill to be entitled "An act to Incorporate the Tyler Real Estate and Banking Association."

Report received and Senate bill No. 165 referred to Committee on State Affairs.

Message from the House by Chief Clerk, transmitting for concurrence House bill No. 193, to be entitled "An act to incorporate the Corpus Christi Navigation Company."

Also, for signatures the following enrolled bills:

House bill No. 161, "An act to amend an act entitled 'an act to incorporate the Washington Fire Engine Company No. 1, of the city of Austin, approved July 19, 1870.'"

Also, House bill No. 195 "An act to amend 'an act prescribing the times of holding the District Courts in the several Judicial Districts in the State, approved August 10, 1870.'"

Enrolled bills signed by the President, and returned to the House.

RESOLUTIONS.

Senator Mills presented the following resolution:

Resolved, That the Secretary of the Senate shall give a receipt for all postage stamps received by him, and shall keep a book of the number he has on hand, and keep a record of the number drawn by each Senator.

GENERAL FILE.

Senate bill No. 64, "An act to authorize the District Attorney of the Thirtieth Judicial District to draw his salary from the date of filing his oath of office with the Secretary of State," read second time, ordered engrossed and passed to a third reading.

Senator Fountain gave notice that he would, at an early day, introduce a bill to provide for the payment of salaries to District Attorneys from the date of their entering upon the duties of their office.

On motion of Senator Ruby the rules were further suspended and Senate bill No. 64 read third time and passed.

Senator Ruby moved to reconsider the vote passing Senate bill No. 64, and moved that the bill do pass by recording the yeas and nays.

11:30 A. M.

The hour having arrived for the consideration of the special order, Senate bill No. 94, "An act to give effect to the several provisions of the Constitution concerning taxes," on motion of Senator Ruby it was postponed for fifteen minutes.

Message from the House by Chief Clerk informing the Senate the Speaker had appointed as Committee of Conference on the part of the House, on House amendments to Senate bill No. 128, "An act to provide for the preservation and safe keeping of the Supreme Court Library, at Tyler," Messrs. Robertson, McLean and Jenkins.

Question recurring on the motion of Senator Ruby, to reconsider, and the motion to pass Senate bill No. 64, the motion was adopted and the bill passed by the following vote :

Yeas—Mr. President, Baker, Bowers, Cole, Douglass, Flanagan, Ford, Fountain, Gaines, Hall Hertzberg, Hillebrandt, Latimer, Mills, Parsons, Pettit, Pickett, Pridgen, Rawson, Ruby, Tendick—21.

Nays—Braughton, Dillard, Dohoney, Evans, Pyle, Shannon—6.

The hour having arrived for the consideration of the postponed special order, Senate bill No. 94, the Senate went into a Committee of the Whole.

IN SENATE.

[Senator Fountain in the chair.]

Senator Flanagan, Chairman of the Committee of the Whole,

having under consideration Senate bill No. 94, "An act to give effect to the several provisions of the Constitution concerning taxes," reported progress, and asked leave to sit again at 11 A. M., Monday.

Report received, and leave granted.

[President Campbell in the chair.]

On motion of Senator Parsons, a committee of three was appointed, to take into consideration subdivision "G," section 1, of Senate bill No. 94.

The President appointed on said committee, Senators Pickett, Pettit and Parsons.

On motion of Senator Flanagan, a committee of three was appointed to take into consideration the amendment of the Committee on Finance to Senate bill No. 94, as follows: Next insert (in a separate section): "There shall be levied on and collected from any and all railroad, telegraph and insurance companies, doing business in this State, an annual tax of two per cent. upon the gross receipts of the same," with instructions to report on Monday in Committee of the Whole.

The President appointed on said committee, Senators Flanagan, Dohoney and Fountain.

On motion of Senator Fountain, the Senate went into executive session.

IN SENATE.

Senator Flanagan moved that the Senate stand adjourned to 10 A. M., Monday.

Senator Gaines moved to amend to adjourn to 11 A. M., Monday.

Yeas and nays called for and lost by the following vote:

Yeas—Gaines, Mills, Pickett, Pridgen, Ruby, Saylor—6.

Nays—Mr. President, Bell, Bowers, Cole, Dillard, Dohoney, Douglass, Evans, Flanagan, Fountain, Hall, Hertzberg, Hillebrandt, Parsons, Pettit, Pyle, Rawson, Shannon, Tendick—19.

Senator Ruby moved to amend to adjourn to 10½ A. M., Monday.

Yeas and nays called for and lost by the following vote.

Yeas—Mr. President, Douglass, Gaines, Hall, Mills, Pickett, Ruby, Saylor, Shannon—9.

Nays—Bell, Bowers, Cole, Dillard, Dohoney, Evans, Flanagan, Fountain, Hertzberg, Hillebrandt, Parsons, Pettit, Pridgen, Pyle, Rawson, Tendick—16.

The question recurring upon Senator Flanagan's motion to adjourn till 10 o'clock, A. M., Monday, the yeas and nays were called for, and it was carried by the following vote:

Yeas—Mr. President, Bowers, Cole, Dillard, Dohoney, Douglass, Evans, Flanagan, Hall, Mills, Pickett, Pridgen, Saylor, Shannon, Tendick—15.

Nays—Bell, Fountain, Gaines, Hertzberg, Hillebrandt, Parsons, Pettit, Pyle, Rawson, Ruby—10.

So the Senate adjourned to 10 o'clock, A. M., Monday.
